

IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON

In Re:

GIGA WATT, INC.,

Debtor.

In Chapter 11 Proceeding

Case No. 18-03197-FPC11

**NOTICE AND MOTION TO
LIMIT NOTICE OF ALLRISE
FINANCIAL GROUP'S
APPLICATION FOR
ALLOWANCE AND PAYMENT
OF ADMINISTRATIVE
EXPENSE CLAIM AND
MOTION TO COMPEL
TRUSTEE TO ABANDON
ALLRISE MINING POD**

PLEASE TAKE NOTICE that Allrise Financial Group (“Allrise”), a secured creditor in this action, is filing a Motion to Limit Notice of Allrise Financial Group’s Application for Allowance and Payment of Administrative Expense Claim and Motion to Compel Trustee to Abandon Allrise Mining Farm (the “Motion”). Through the Motion, Allrise seeks to limit the parties who will receive notice of its application for allowance and payment of an administrative

NOTICE AND MOTION TO LIMIT NOTICE OF ALLRISE FINANCIAL
GROUP’S APPLICATION FOR ALLOWANCE AND PAYMENT OF
ADMINISTRATIVE EXPENSE CLAIM AND MOTION TO COMPEL
TRUSTEE TO ABANDON ALLRISE MINING POD - 1

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1 expense claim and its motion to compel the Trustee to abandon the Allrise
2 Mining Farm – being filed simultaneously herewith – to the Chapter 11 Trustee,
3 the U.S. Trustee’s Office, the Unsecured Creditor’s Committee, anyone
4 requesting ECF notice herein, anyone requesting special notice, and the 20
5 largest creditors as designated on the Debtor’s Schedules.
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8 **PLEASE TAKE FURTHER NOTICE** that any party opposing the
9 Motion must serve a written response to the undersigned counsel at 1201 Third
10 Avenue, Suite 3400, Seattle, WA 98101, and file the response with the Clerk of
11 the United States Bankruptcy Court, 904 West Riverside Avenue, Suite 304,
12 Spokane, WA 99201 on the response date which is February 17, 2020. The
13 Court may enter an order and grant the Motion without an actual hearing or
14 further notice unless a written objection is timely served and filed.
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17 **MOTION TO LIMIT NOTICE OF ALLRISE FINANCIAL GROUP’S**
18 **APPLICATION FOR ALLOWANCE AND PAYMENT OF**
19 **ADMINISTRATIVE EXPENSE CLAIM AND MOTION TO COMPEL**
20 **TRUSTEE TO ABANDON ALLRISE MINING POD**

21 **I. INTRODUCTION AND RELIEF REQUESTED**

22 1. Allrise Financial Group (“Allrise”) hereby requests the Court’s
23 authorization to limit notice of its *Application for Allowance and Payment of*
24 *Administrative Expense Claim* and *Motion to Compel Trustee to Abandon Allrise*
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1 *Mining Farm*, filed simultaneously herewith. Allrise seeks to limit notice to (a)
2 the Chapter 11 Trustee, (b) the U.S. Trustee's Office, (c) the Unsecured
3 Creditor's Committee, (d) all parties requesting ECF notice, (e) all parties
4 requesting special notice, and (f) the 20 largest creditors as listed in the Debtor's
5 schedules.
6

7 8 **II. JURISDICTION AND VENUE**

9 2. This Court has jurisdiction over this proceeding pursuant to 28
10 U.S.C. §§ 157 and 1344.
11

12 3. Venue of this bankruptcy case and this Motion is proper pursuant to
13 28 U.S.C. §§ 1408 and 1409.
14

15 4. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2).
16

17 **III. ARGUMENT AND AUTHORITY**

18 5. As of January 9, 2020, the Debtor had over 380 creditors and parties
19 in interest to be served in this case. Serving all creditors and parties in interest in
20 this case will result in substantial expense. An order limiting notice will facilitate
21 the service of notice to those parties who wish to be active participants in this
22 case.
23

24 6. Limiting notice will not prejudice any creditor as the Chapter 11
25 Trustee and the Unsecured Creditors Committee are represented by counsel.
26



1 7. LBR 2002-1 permits less inclusive notice to be given “if not
2 prohibited by the Code or Rules and specifically allowed by the Court...” LBR
3 2002-1(b)(1)(B). Allrise is not aware of any specific prohibitions against the
4 Court entering an order permitting limitation of notice as requested herein, and
5 submits that good cause exists for doing so.
6

8 IV. CONCLUSION

9 Based on the foregoing, Allrise respectfully requests the Court to grant
10 this Motion, and enter an order limiting the service required as requested herein.
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12 DATED this 24th day of January, 2020.

13
14 By /s/ Adam C. Doupe

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